

Oxford Democrat.

No. 46, Vol. 5, New Series.

Paris, Maine, Tuesday, March 24, 1846.

Old Series. No. 3, Vol. 16.

OXFORD DEMOCRAT.

PUBLISHED EVERY TUESDAY, BY

G. W. Allen,

EDITOR AND PROPRIETOR.

TERMS:—One Dollar and Fifty Cents in advance. ADVERTISEMENTS inserted on reasonable terms. The Proprietor not being accountable for any error beyond the amount charged for the advertisement. A reasonable deduction will be made for cash in advance.

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SPEECH OF MR. DIX,

OF NEW YORK,

ON THE RESOLUTION GIVING THE TWELVE MONTHS' NOTICE FOR THE TERMINATION OF THE JOINT OCCUPANCY OF THE OREGON TERRITORY.

Delivered in the Senate of the United States, February 18 & 19, 1846.

Mr. DIX rose and proceeded to address the Senate on the special order of the day. He said: In entering into a debate on the question under consideration, I feel constrained to differ in opinion with two distinguished senators who have preceded me, in relation to the manner in which the discussion should be conducted. I allude to the senator from Ohio, [Mr. Allen], who opened the debate, and the senator from Delaware, [Mr. Clayton], who followed him. Both took the ground, and with equally strong language, that the title to Oregon ought not to be drawn into this discussion, but for total different reasons—the senator from Ohio, because the time for discussing it had gone by, and the senator from Delaware, because the time for discussing it had not arrived. With the unfeigned respect which I entertain for both senators, I dissent from their opinions with great diffidence of my own. But I am constrained to regard the question of our rights in Oregon, as one on which the propriety of the measures proposed peculiarly and eminently depends. What is the proposition before the Senate? It is to give to Great Britain the notice of twelve months, by virtue of which the treaty between her and the United States, stipulating that the territory of Oregon shall be free and open to the people of both countries, is to be abrogated and annulled. We cannot disguise the fact, that this is a measure of the most decided character, and involving the most important consequences. What is it, sir, but a declaration that the territory of Oregon, after the expiration of twelve months, shall no longer be open to the subjects of Great Britain? It is the first step towards the assertion of our right of empire and domain in Oregon.—I can see it in no other light. I shall support it. But I cannot assent to the propriety of adopting a measure of such magnitude without saying a single word in illustration of our title to the territory, over which we are thus preparing to assert our paramount rights. I do not feel at liberty to take such a step, denying summarily all right in others, or abstaining from the assertion of any right in ourselves.

I propose, therefore, as a preliminary of action on my own part, to look at our title to Oregon—not for the purpose of defining it with critical precision, but so far as to state the general grounds on which it rests. And I am not disposed to take this course, not only with a view to justify the vote I intend to give, but for the further purpose of correcting extreme misconceptions, both at home and abroad, on a few points of vital consequence. No purely American question has perhaps, excited a stronger interest in other countries; and I doubt whether any other has been so greatly misrepresented. The same misapprehensions exist at home. The public press, for the last few weeks, has been teeming with essays disparaging the Spanish title, on which our own, in some degree, rests. I am unwilling either to pass by these statements in silence, or to meet them with summary declaration of right. It is natural that senators, who have been long on this floor, and who have already borne a part in the discussion of this question, should feel differently. But for myself, having never even listened to a debate on the subject—a subject until recently entirely new to me—I feel bound to state the grounds on which I act. This is what I propose to do—not by the analysis of any particular treaties, or by the examination of any particular view of the subject—but by exhibiting some of the historical facts on which the Spanish title and our own rests. I shall endeavor to perform this duty in the plainest manner, adhering rigidly to the subject, and if possible, without addressing a single word to prejudice or passion.

The region which now constitutes the territory of Oregon was seen, and a part of its coast recognized—I will not say explored—half a century after the discovery of America. In consequence of its remoteness from the course of trade which was opened by the voyages of Columbus, the supposed rigor of its climate, and the certainty derived from the expeditions sent out from Mexico, that it contained no sources of wealth like those by which Spain had been enriched in the more southern portions of this continent, it remained, for more than two centuries and a half without any permanent settlement by civilized men. During this long period, Spain constantly asserted her right of proprietorship in it by virtue of discovery, and had formed temporary establishments in its neighborhood from time to time. During the half century which succeeded, it was frequently visited by ships of other nations, by accident, for the purposes of exploration, or for objects of commerce, and thus there arose a number of claimants to the right of sovereignty and domain. The claims of Russia have been ad-

justed with Great Britain. She holds, by the acquiescence of the latter, the whole northwest coast of America north of latitude 54 deg. 40m. as far back as the first range of highlands; and by virtue of a convention with the United States we have agreed to form no settlements north of that parallel. The southern line of Oregon we hold to be fixed, by the settlement of the boundary line between the United States and Mexico, at 42 deg. The territory in dispute lies, therefore, a coast of twelve parallels and two-thirds of latitude, running back into the interior to the Rocky mountains; and the United States and Great Britain are the only claimants to the right of proprietorship in it.

Before I proceed to examine their respective claims, it may be proper as the subject has been referred to on this floor, briefly to state the conditions, under which, by the usage of nations a right of property in lands uninhabited, or occupied by wandering tribes, may be acquired.

The basis usually relied on to support a right of this nature is discovery; but it is a ground of right which becomes untenable, unless followed by an actual occupation of the discovered territory. If a title is not prefaced by occupation, a second discoverer may appropriate the territory thus neglected by the first. But this must be upon reasonable evidence of the intention of the first discoverer not to take possession of it. If a second discoverer were to seize upon and appropriate the discovered territory, before the first had time to form an establishment within it, such an act of interference would be regarded as an unwarrantable intrusion, which the latter might justly resist. On the other hand, if the first discoverer neglects within a reasonable time to take actual possession of, or form settlements in, or make some actual use of, the regions he has discovered, the law of nations will not acknowledge in him any absolute right of property or sovereignty over it, even though he may have set up monuments or memorials of his discovery at the time it was made. Such is the spirit of the rules in relation to the discovery and occupation of uninhabited territory, stated by writers on international law. It is certainly not easy to lay down any invariable rule in respect to the time within which, or the circumstances under which, a title by discovery must be perfected by occupation.

The rules and maxims of international laws are but a practical application of the principles of universal equity and justice; and in the settlement of questions of this nature, the real objects and intentions of the parties are to be sought for in a reasonable interpretation of their acts. I believe, however, the doctrine may be considered fairly inferable from the whole body of the law on this subject, that rights by discovery are good until superseded by rights of occupation. With regard to Great Britain I believe I may safely say that her practical rule pushes this doctrine further. She resists all attempts by others to acquire rights of occupation in territories which she has discovered, and thus renders her own rights by discovery perpetual. She discovered the Chatham islands in 1791 by Lieut. Broughton, in the armed tender Chatham, after parting company with Vancouver on their way to the northwest coast. She has not occupied them until recently; and I am not sure that their title is now anything more than a whaling establishment on them; but she insists that no other power shall occupy them, because it would be injurious to her settlements in New Zealand, which are nearly five hundred miles distant from them.

I propose now to see what acts have been performed in respect to Oregon by different nations; or, in other words, to examine the nature of the discoveries which have been made, and the establishments which have been formed in that region, applying to them as I proceed the principles I have concisely stated.

The first discovery of any part of the northwest coast of America north of, or in immediate contiguity with the boundary between us and Mexico, was Ferrel's. He was the pilot of Cabrillo, the commander of an expedition fitted out in Mexico in 1543, fifty-one years after the discovery of San Domingo by Columbus. Cabrillo, on the voyage, and Ferrel's succeeded to the command. He examined the coast from the Santa Barbara island, in latitude 31 deg. to the 43d parallel of latitude, but the latter part of his voyage was made, I believe, without landing, and by a mere inspection of the coast from his vessel. In 1585, eight years before this exploration was made, possession had been taken of California by Fernando Cortes, in the name of Spain, and an establishment had been formed in 31 deg. of north latitude. This establishment was kept up for several years; and the gulf of California to its northern extremity, with the western coast as high as 39 deg. north latitude, had been explored. These explorations and the establishments formed in carrying them on were all made in pursuance of a settled purpose on the part of Spain to extend her dominion over the uninhabited territory on the northwestern coast of America. The discoveries to which these explorations led were therefore not accidental. The expeditions were fitted out for the single object referred to. In the prosecution of this design, it is true, the most arrogant and absurd pretensions were set up by Spain in respect to the exclusive navigation of the Pacific; but these must not be permitted to prejudice her just claims to portions of the continent washed by its waters on the ground of discovery and occupation, and the declared purposes she had in view.

The next navigator who appeared on the northwest coast was Sir Francis Drake. He left England in 1577, on a predatory expedition against the dominions of Spain in the Pacific. In 1579, after having accomplished his object, and carried devastation and terror into the unprotected Span-

See Vancouver's Journal, Book 1, chap. 3.

ish settlements on the coast, he landed in 38 deg. north latitude, in a bay supposed to be that of San Francisco, and passed five weeks in repairing his vessel. He took possession of the country and called it New Albion. It is pretended that Sir Francis Drake followed the coast as far north as 48 deg.; but the best authorities fix the northern limit of his examination, which was a mere inspection from his vessel, at 43 deg., the supposed boundary of Ferrel's inspection more than a quarter of a century before. As the British negotiators have abandoned Drake's expedition as a part of the basis of their claim, I will not dwell upon it excepting to add that his examinations were accidental; they were not made in pursuance of any purpose of exploration or settlement; they led to the discovery of no new territory; and they were not followed up by an actual occupation of the soil. For two centuries no claim that I am aware of was set up by Great Britain on the ground of Drake's pretended discoveries.

The next explorer was the Greek pilot Juan de Fuca, who was sent to the northwest coast in 1592, thirteen years after Drake, by the viceroy of Mexico, for the purpose of discovering the imaginary strait of Anian, supposed, at that day, to connect the north Atlantic ocean. In the prosecution of his voyage he entered an extensive inlet from the sea, as he supposed, between the 47th and 48th parallels of latitude, and sailed more than twenty days in it. Such is his own account as detailed by Michael Lock; and it accords, as well as his descriptions, so nearly with the actual nature of the localities, that it is now generally conceded that it is substantially true; and his name is conferred by universal consent on the strait between the 45th and 49th parallels of latitude. Spain had thus made discoveries on the northwest coast before the close of the 16th century as far north at least as the 48th degree of latitude, and the nature of her exploration, from their extent and the settled purpose in pursuance of which they were made, excluded all claim of discovery by others down to that period of time.

In 1603, Vizcaino, a distinguished naval commander, under an order from the king of Spain, made a careful survey of the coast of California to Monterey, in the 37th parallel of latitude; and he also explored the coast as far north as the 43d parallel, giving names to several bays and promontories as he advanced. During the seventeenth century, at least seven different attempts were made by the Spaniards to form establishments in California. But, from the hostility of the natives, and other causes, these attempts failed, so far as any permanent settlement is concerned, excepting the last, which was made in 1697. But without settlements were formed by the Jesuits on the western coast of America, between the Gulf of California and Cape Mendocino one of which was in the bay of St. Francisco, near the 38th degree of latitude. During the whole period from the landing of Fernando Cortes in California, and the latter part of the eighteenth century, Spain had uniformly asserted her title to the northwest coast of America, and had from time to time made efforts not only to extend her discoveries there, but to perfect her right of empire and domain by permanent establishments.

In 1774, Perez was ordered by the viceroy of Mexico, to proceed to 60 degrees north latitude, and explore the coast south to Monterey, and to take possession, in the name of the king of Spain, of the places where he should land. He succeeded in his reaching the 54th parallel, within two-thirds of a degree of the northern boundary of the disputed territory, whence he returned along the coast to Washington's island, as it was called by Capt. Gray, or Queen Charlotte's island, as it was afterwards named by the British navigators. In latitude 49 degrees 30 minutes, he entered a capacious bay, where he remained for some time, trading with the natives—the same bay, beyond all question, which was afterwards called King George's sound by Capt. Cook, and is now known as Nootka sound.

The next year, (1775), Heceta sailed as far north as the 48th degree of latitude, and explored the coast south, filling up the outline which Perez had left incomplete. He had previously landed at 41 degrees 10 minutes, and erected a cross with an inscription setting forth that he had taken possession of the country in the name of his sovereign. In latitude 46 degrees 17 minutes he discovered a rapid current outward from the land, opposite to an opening, which he immediately pronounced to be the mouth of a river. From him it was first called the Entrada de Heceta, and afterwards the river St. Roc. He made repeated attempts to enter it, but was constantly baffled by the violence of the current. This is now conceded to have been the mouth of the river Columbia, which was discovered and entered by Capt. Gray, of Boston.

During the same year the coast was also explored from the 54th to the 59th degree of latitude by Quadra (y Bodega) and Murrelle, who erected crosses in testimony of their discoveries. On their return, they visited the coast at the 47th degree of latitude, and explored it from the 45th southwardly to the 42d.

It will be perceived by these details, which I have deemed it necessary to state with some particularity, that previous to 1778, the year in which Captain Cook visited the northwest coast, the Spaniards had examined it with great care and perseverance from 37 degrees to 49 degrees 30 minutes. They had also examined it from the 54th to the 59th parallel, and visited it at intermediate points. And in these explorations they were wholly without competitors, excepting on the part of some Russian navigators, who had made discoveries north of the 54th parallel, and Drake, who had visited the coast at the 38th.

During the two centuries that had intervened from the expedition of Drake to the third voyage of Cook, no attempt had been made, nor any design indicated on the part of Great Britain, to avail herself of any pretended right by virtue of the transient visit of the former to the coast; while Spain constantly asserted her claim to it by virtue of previous and subsequent discoveries. And in California and its neighborhood she had, after repeated efforts, succeeded in effecting the permanent occupation of the country, which was her earnest object—an object which no other power during that long period had even in contemplation.

The third voyage of Captain Cook, undertaken in 1777, gave the first indication of a desire on the part of Great Britain to appropriate such parts of the northwest coast of America as she considered open to settlement, and subject them to her dominion. He was instructed to take possession, in the name of the king, of convenient situations in the countries he might discover that had not already been discovered or visited by any other European power. In 1778 he landed at Nootka sound, in 43 degrees 33 minutes north latitude, where he remained nearly a month trading with the natives and refitting his vessel. I believe that this was the only point within the territory in dispute at which Captain Cook landed; and it is proved by its latitude to be the same bay which Perez discovered four years before, and in which he passed sometime, like Captain Cook, trading with the natives. The subsequent explorations of the latter were made further north, (I believe he did not see the coast north of 55 degrees,) with a view to the discovery of a passage between the Pacific and Atlantic oceans, and they have no bearing on the question under discussion.

The exploration of Captain Cook gave no title whatever to Great Britain on the score of discovery—the only place where he landed having been previously visited by Perez. Besides, if she had gained a contingent right of possession by virtue of his explorations, she did not proceed to perfect her title by a formal occupancy. The neglect of Great Britain to take actual possession of Nootka sound, even if she had gained a contingent right by discovery, is conclusive against any claim on her part to a right of property in it. For eight or nine years the British flag was not once unfurled there, as I can learn, although the space had, in the mean time, been visited by navigators of other nations; and it was not until several years later still that it was even entered by a public armed vessel of Great Britain; and then not until the Spanish government had taken formal possession of it.

In 1787, Berkeley, an Englishman, in the service of the Austrian East India Company, saw the strait of Juan de Fuca, but without attempting to enter it. In like manner, Meares, a lieutenant in the British navy, though in the service of a Portuguese merchant, and sailing under the flag of Portugal, sent a boat a few miles into the strait in 1785, having learned from Berkeley that he had discovered it the preceding year. Meares also explored the coast in the vicinity of the Columbia river, and came to the conclusion, to use his own language, that "no such river as that of St. Roc exists, as laid down in the Spanish charts."—*Voyages, &c., John Meares, esq., page 168.*

As the transactions, in which Meares was engaged, on the northwest coast, are intimately connected with the claim of Great Britain to a right of joint occupancy in respect to Oregon, I trust it will not be deemed superfluous if I examine them somewhat in detail.

Before making the explorations above referred to, Meares had landed at Nootka sound, and left a party to build a small vessel. He had for a trifling consideration obtained the grant of "a spot of ground" from Maquinna, the king of the surrounding country, to build a house for the accommodation of the party. The occupation was merely for a temporary purpose, and he had stipulated with Maquinna to restore the possession to him, when he (Meares) should finally leave the coast. In the autumn of the same year he left Nootka sound with his vessels, one of which wintered in China, and the two others in the Sandwich islands. I should before have observed that he arrived at Nootka sound with two vessels, the *Felice* and the *Iphigenia*; and the third, the *Northwest America*, was built there during the summer. In the meantime the *Columbia* and the *Washington*, two American vessels from Boston, entered the sound and passed the winter; and from all the testimony relating to the subject, there is no doubt that the lot occupied by Meares was abandoned or restored to them. During all this time, it is to be recollected, Meares was sailing under the Portuguese flag; and it is a curious fact, that he carried with him instructions to repel by force any attempt on the part of Russian, Spanish, or English vessels to seize him or carry him out of his way. He was further instructed, in case he was successful in capturing his assailant, to send the vessel to China to be condemned, and the crew to be tried as pirates; and yet, notwithstanding he was sailing under a foreign flag, with orders to treat his Britannic majesty's subjects as pirates in case they molested him, the British government does not scruple to found its title to Oregon on his voyage.

Maquinna had not only most readily consented to grant to Meares a spot of ground in his territory, whereon a house might be built for the accommodation of the party, but he had promised to also his assistance in forwarding the vessel to Nootka during our absence."—*Voyages, &c., by John Meares, page 114.*

"The chief was also requested to show every mark of attention and friendship to the party we should leave, a story and as a bribe to secure his attachment, he was promised that when we finally left the coast, he should enter into full possession of the house, and all the goods and chattels thereto belonging."—*Id., page 120.*

Appendix to Meares's Voyages, Paper No. 1.

Though the vessels of Meares sailed under the Portuguese flag, and under the name of a Portuguese subject, he asserted in his memorial that the parties in interest were British merchants.—I desire to state the whole truth, and therefore I give a fact I have not seen noticed. At page 173 of his voyage it will be seen that he took possession of the straits of Juan de Fuca, in the name of the king of Great Britain, in July, 1788. But independently of the claims founded upon the transaction of an individual, who, under the most favorable view that can be taken of him, had sought the protection of a foreign flag to perpetrate frauds on the revenue laws of China, this unauthorized act of taking possession under such a flag was preceded many years by similar formalities on the part of the Spanish navigators, under express orders by their sovereign. The twofold character which Meares united in his person, certainly gave him manifest advantages, both as a trader and a discoverer. He was a Portuguese captain when defrauding the revenue laws of China for the benefit of British subjects, and a British lieutenant when encroaching on the territorial rights of Spain for the benefit of the British sovereign.

On the 6th of May, 1789, Martinez, a Spanish naval commander, with two public armed vessels, entered Nootka sound, with instructions to assert and maintain the paramount rights of Spain to the place, and to the adjacent coasts. The *Iphigenia*, and the *Northwest America*, two of Meares's vessels had returned from the Sandwich islands, still sailing under Portuguese colors, and arrived in the sound on the 20th of April, sixteen days later from Martinez. The *Northwest America* sailed eight days afterwards on a trading voyage, and the *Iphigenia* was a short time subsequently seized by Martinez, on the ground that her instructions were hostile to Spain. She was, however, soon restored, and continued to trade under Portuguese colors—a fact which shows conclusively that no claim can justly be set up by Great Britain on the basis of his voyage to Nootka, and his temporary establishment there. The *Northwest America* was also seized, for reasons not directly connected with any question of sovereignty, and was employed for nearly two years in the Spanish service.

In the month of June, 1789, two vessels, the *Argonaut* and *Princess Royal*, sailing under British colors, arrived at Nootka, and were seized by Martinez. It is unnecessary to enter into the details of this transaction. It is sufficient to say that it led to an animated discussion between the governments of Great Britain and Spain, in respect to their rights in the Pacific, and the western coast of America, which for several months threatened to produce war between the two countries, but which was finally terminated in October, 1790, by the treaty of the Escorial, or the Nootka Sound convention, as it is more frequently denominated with us. Before the negotiations were concluded, both vessels were voluntarily released by the Spanish authorities in Mexico.

As the Nootka sound convention constitutes an essential ingredient in the claim of Great Britain, it will be necessary to advert to such of its provisions as are made the foundation of her title to the qualified exercise of sovereignty which she asserts over the northwest coast of America, and to consider them in connection with circumstances under which they were framed. The articles which relate particularly to the question under discussion, are the 1st, 3d, 5th, and 6th.

The 1st article provides that "the buildings and tracts of land situated on the northwest coast of the continent of North America, or on the islands adjacent to that continent, of which the subjects of his Britannic majesty were dispossessed about the month of April, 1789, by a Spanish officer, shall be restored to the said British subjects."

The 3d article provides that, "in order to strengthen the bonds of friendship, and to preserve in future a perfect harmony and good understanding between the two contracting parties, it is agreed that their respective subjects shall not be disturbed or molested, either in navigating or carrying on their commerce with the natives of the country, or of making settlements there; the whole subject, nevertheless, to the restrictions specified in the three following articles."

The 5th article provides that "as well in the places which are to be restored to the British subjects by virtue of the first article, as in all other parts of the northwestern coasts of America, or of the islands adjacent, situate to the north of the parts of said coast already occupied by Spain, wherever the subjects of either of the two powers shall have made settlement since the month of April, 1789, or shall hereafter make any, the subjects of the other shall have free access, and shall carry on their trade without any disturbance or molestation."

The 9th article relates to the coast of South America; but it has an importance in containing a definition of the erections which may be made, confining them to such as may serve the purposes of fishing; and the provisions of the third article are expressly declared to be subject to the restrictions in "the three following articles," one of which is the 5th.

I now proceed to state certain facts in respect to this convention, and to draw from them conclusions at which I have arrived with some diffidence. The facts I shall endeavor to present with a rigid regard to accuracy. If my conclusions are erroneous, the better judgment of the Senate will correct them; and I shall have the consolation of reflecting that my errors—if they shall prove such—have led to the discovery of truth, which I am sure is the great object of every senator on this floor.

The first article was practically inoperative, from a total misapprehension of the facts which it supposed. There is no evidence that subjects

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THE GOBLIN OF AVIGNON.

Dickens, in one of his letters in the London News, describes the ruins of the Inquisition at Avignon. Goblin, who figures in the extracts we give below, is an old woman, who with the title of *conciergerie du palais apostolique*, bestowed on her by the municipal government of Avignon, acts as a guide to strangers visiting the ruins.

After having conducted the party through several halls which are used as store-rooms, Goblin showed them the rooms where the Holy Inquisitors were wont to sit in judgment on their victims.

High up in the jealous wall, are niches where the faltering replies of the accused were heard and noted down. I am gazing round me, with the horror that the place inspires, when Goblin clutches me by the wrist, and lays, not her skinny finger, but the handle of a key upon her hip. She invites me with a jest, to follow her. I do so. She leads me out into a room adjoining—a rugged room, with a funnel shaped, contracting roof, open at the top to the bright day. I ask her what it is. She folds her arms, leans hideously and stares. I ask again, she glances round, to see that all the little company are there, sits down upon a mound of stones, throws up her arms, and yells out like a fiend, "La Sala de la question."

The chamber of torture. And the roof was made of that shape to stifle the victims. Oh Goblin, let us think of this awhile, in silence. Peace, Goblin. Sit with your short arms crossed on your short legs, upon that heap of stones, for only five minutes, and then come out again.

Minutes! Seconds are not marked upon the Palace clock, when, with her eyes flashing fire Goblin is up, in the middle of the chamber, describing with her sunburnt arms a wheel of heavy blows. Thus it ran round! cries Goblin. Mash, mash, mash! An endless routine of heavy hammers. Mash, mash, mash, upon the sufferers limbs. See the stone trough! says Goblin. For the water torture! Gurgles, gurgles! swill, bloat, burst for the redeemers' honor! Suck the bloody rag, deep down into your unbelieving body, Herine, at every breath you draw; and when the executioner plucks it out reeking with the smaller mysteries of God's own images, know us for his chosen servants; true believers in the sermon on the Mount; elect disciples of him who never did a miracle but to heal; who never struck a man with palsy, blindness, deafness, dumbness, madness; any one affliction of mankind; and never stretched out his hand but to give relief and ease.

See! cries Goblin. There the furnace was; there they made the iron red hot. These holes supported the sharp stake, on which the tortured persons hung poised; dangling with their whole weight. "But," and Goblin whispers this; "Monsieur has heard of this tower! Yes! Let Monsieur look down, then."

A cold air, laden with an earthly smell, falls upon the face of Monsieur; for she has opened, while speaking, a trap door in the wall. Monsieur looks in. Downwards to the bottom, upward to the steep, dark, lofty tower; very cold. The executioner of the Inquisition, says Goblin, edging in her head to look down also, flung those that were past all further torturing, down here. "But look! does Monsieur see the black stains on the wall? A glance over his shoulders, at Goblin's keen eye, shows Monsieur—and would without the aid of the directing-key—where they are. "What are they?" "Blood."

In October, 1791, when the revolution was at its height here, sixty persons; men and women (and priests, says Goblin, "priests") were murdered here, and buried, the dying and the dead into this dreadful pit, where a quantity of quicklime was tumbled down upon their bodies. Those ghastly tokens of the massacre were soon no more; but while one stone of the strong building in which the deed was done, remains upon another, there they will lie in the memory of men, as plain to see as the splashing of their gore upon the wall is now.

Was it a portion of the great scheme of Retribution, that the cruel deed should be committed in this place? That part of the atrocities and monstrous institutions, which had been, for scores of years, at work to change men's nature, should, in its last service, tempt them with the ready means of gratifying their furious and beastly rage? Should enable them to show themselves, in the light of their frenzy, no worse than a great, solemn, legal establishment, in the height of its power? No worse. Much better. They used the Tower of the Forgotten, in the name of Liberty—their liberty; an earth-born creature, nursed in the black mud of the Bastille moats and dungeons, and necessarily betraying many evidences of its unwholesome bringing up. But the Inquisition used it in the name of Heaven.

Goblin's finger is lifted; and she steals out again, into the chapel of the holy office. She stops at a certain flooring. Her great effect is at hand. She waits for the rest. She darts at the brave Couquer, who is explaining something, hits him a sounding rap on the hat with the largest key, and bids him be silent. She assembles us all around a little trap door in the floor, as round a grave. "Voilà," she darts down at the ring, and flings the door open at a crash, in her goblin energy, though it is to light weight. "Voilà les oubliettes! Soberanean. Frightful black terrible! deadly! Les oubliettes de l'Inquisition!"

My blood ran cold, as I looked down from Goblin down into the vaults, where these forgotten creatures, with recollections of the world outside—of wives, friends, children, brothers—starved to death, and made the stones ring with their unavailing groans. But the thrill I felt on seeing the accursed wall below, decayed

and broken through, and the sun shining in through its gaping wounds, was like a sense of victory and triumph. I felt exalted with the proud delight of living, in these degenerate times to see it. As if I was the hero of some high achievement! The light in the doleful vaults was typical of the light that has streamed in, on all persecution in God's name, but which is not at its noon! It cannot look more lovely to a blind man newly restored to sight, than to a visitor who sees it, calmly and majestically, treading down the darkness of that infernal Well.

Who DON'T LIKE A GOOD JOKE? A few days ago, a gentleman, looking over his tailor's account, observed a charge of seven shillings more on a coat than he had been accustomed to pay. On enquiring, the tailor informed him that he had been obliged to take up an additional quantity of cloth.

"Why," exclaimed the gentleman, "it was scarcely half a year ago that you told me you managed to get a waistcoat for your little boy from what remained of the cloth you made my coat from, I cannot conceive why I should require more now, as I am convinced I have not increased any in size since that period."

"No, sir," said the tailor, "you are much the same as usual, but my little boy is so surprisingly grown that you would scarcely know him."

TAKING HATS TO GET SMOOTHED. A fellow went into the hall of a boarding-house in Barclay street, New York, a few nights since while the boarders were at supper, and gathered up all the hats on the table. He was making his way out with his booty, when a boarder a little behind time came in, and asked him what he was about.

"Oh," says the thief, "I am taking the gentleman's hats round to Leary's to get smoothed."

"Well," replied the boarder, "take mine along."

"Certainly, sir," said the accommodating loafer, and vanished.

NIGGER CONUNDRUM. "Why am the steamer *Charter Oak* like a fashionable novel, ha, Jumbo?"

"Well, caze she's had a good run."

"Dat's wery good, but 'tain't it."

"Well den, Bill, I gibs dat up."

"It's becase she's from de *Pen-oo-scot*."

WISTAR'S BALSAM OF CHERRY, THE GREAT REMEDY FOR CONSUMPTION, PULMONARY ORGANS.

A very important disease over which this "Balsam" exerts a very powerful influence, is that of a DISEASED LIVER.

In this complaint it has undoubtedly proved more efficacious than any remedy hitherto employed, and in numerous instances when patients had endured long and severe suffering from the disease, without receiving the least benefit from various remedies, and when MERCURY had been resorted to in vain, the use of this Balsam has restored the LIVER to a healthy action, and in many instances effected a cure.

PERMANENT CURES, after every known remedy had failed to produce the desired effect.

Opinion of a regular Physician. FAYETTE, Me., Sept. 30, 1845. This certifies that I have recommended the use of WISTAR'S BALSAM OF WILD CHERRY for diseases of the Lungs, for two years past, and many bottles to my knowledge have been used by my patients, all with beneficial results. In two cases where it was thought confirmed consumption had taken place, the Wild Cherry effected a cure.

E. BOYDEN, Physician at Exeter Corner.

No Quackery! No Deception!

All published statements of cures performed by this medicine, are in every respect, TRUE.

Beware of Counterfeits & Imitations. The unparalleled and astonishing efficacy of Dr. Wistar's Balsam of Wild Cherry in all the diseases of the chest is well known, curing many cases after the skill of the best physicians was unavailing, has effected a large and increasing demand for it. This fact has caused several unprincipled counterfeits and imitations to palm off spurious mixtures, of similar name and appearance, for the genuine Balsam.